

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

CONOCOPHILLIPS ALASKA, INC.,

Plaintiff,

v.

FORREST WRIGHT, *et al.*,

Defendants.

Case No. 3:19-cv-00311-SLG

Lead Case

CONOCOPHILLIPS ALASKA, INC.,

Plaintiff,

v.

FORREST WRIGHT, *et al.*,

Defendants.

Case No. 3:20-cv-00072-SLG

**FINAL JUDGMENT FOR CONOCOPHILLIPS ALASKA, INC. WITH RICO
TREBLE DAMAGES AGAINST FORREST WRIGHT, WRIGHT CAPITAL
INVESTMENTS, LLC AND DB OILFIELD SUPPORT SERVICES**

Before the Court at Docket 124 is Plaintiff ConocoPhillips Alaska, Inc's *Motion and Memorandum in Support of Motion for Entry of Final Judgment for ConocoPhillips Alaska, Inc. with RICO Treble Damages Against Forrest Wright, Wright Capital Investments, LLC and DB Oilfield Support Services*. The Court has duly considered the matter, with Default already entered on March 9, 2020 (Docket 53), Plaintiff having previously filed the Application for Default Judgment on May 1, 2020 (Docket 63), and the present Motion for Entry of Final Judgment filed on January 27, 2022 (Docket 124).

IT IS HEREBY ORDERED that Final Default Judgment is entered jointly and severally against Forrest Wright, Wright Capital Investments, LLC, and DB Oilfield Support Services (collectively, “Defendants”) and in favor of ConocoPhillips Alaska, Inc., for money and property obtained by Defendants through false pretenses, false representations, actual fraud, and conspiracy, in the following amounts, together with pre- and post-judgment interest as indicated:

| | |
|--|-------------------------|
| a. Principal Amount | \$ <u>7,235,720.00</u> |
| b. Less Amount Recovered to Date | \$ <u>-5,860,327.55</u> |
| c. Difference - Damages | \$ <u>1,375,392.45</u> |
| d. RICO Award (triples “c” above) ¹ | \$ <u>4,126,177.35</u> |
| e. Total Damage Award (same as “d”) | \$ <u>4,126,177.35</u> |
| f. Prejudgment Interest ² | \$ <u>95,156.43</u> |

¹ \$1,375,392.45 x 3 = \$4,126,177.35.

² See *Schneider v. County of San Diego*, 285 F.3d 784, 789 (9th Cir. 2002). The award of prejudgment interest under the RICO claim falls within the Court’s discretion. See *Home Sav. Bank, F.S.B. by Resolution Tr. Corp. v. Gillam*, 952 F.2d 1152, 1161 (9th Cir. 1991) (“The award of prejudgment interest in a case arising under federal law rests within the sound discretion of the court.”). Here, in determining the amount to award, the Court elects to apply Alaska Statute § 09.30.070(a), under which the rate of interest is computed by adding three percentage points to the Federal Reserve discount rate in effect on January 2 of the year in which the judgment is entered. The discount rate in effect on January 2, 2022 was .25%; thus, the total interest rate is 3.25%, from the date suit was filed, December 12, 2019. However, the Court finds prejudgment interest is appropriate only as to the base amount of the damages award—the compensatory component—and not as to the treble damages award, which is intended to be punitive in nature. See *Alexander v. Incway Corp.*, Case No. CV 11-8851 DSF (VBKx), 2013 WL 5603932, at *21 (C.D. Cal. Oct. 11, 2013), *reversed in part on other grounds by Alexander v. Incway Corp.*, 633 Fed. App’x 472 (9th Cir. 2016).

| | | |
|--------------------|----------|--------------|
| g. Attorney's Fees | \$ _____ | Waived |
| h. Total Judgment | \$ _____ | 4,221,333.78 |

In addition, post-judgment interest is awarded pursuant to 28 U.S.C. § 1961(a).

DATED this 28th day of January, 2022 at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE